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Date of Signature and Deposit: 2/9, 2004


Sara D. Vinarov

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dean DellaPenna
David K. Shintani

Date: 2/9, 2004

Serial No.: 10/674,767

Group Art Unit:

Filed: 09/30/2003

Examiner:

For: TRANSGENIC PLANTS WITH
TOCOPHEROL METHYLTRANSFERASE

Docket No.: 920905.90024

STATEMENT UNDER 37 C.F.R. §1.821(f)


Commissioner for Patents
Customer Service Center
Initial patent Examination Division
P O Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned, an attorney registered to practice before the U.S. Patent and Trademark Office (USPTO) and representing the applicants in the above-identified patent application do hereby state and affirm that the content of the paper copy of the "Sequence Listing" in the present application is believed to be identical to the compliant computer readable copy submitted on October 2, 1998 in the parent case U.S. Patent Application No. 09/118,637, filed July 17, 1998.

Therefore, in lieu of filing a duplicate computer readable form in the present application, applicants request the use of the compliant computer readable "Sequence Listing" that is already on file.

Respectfully submitted,


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